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PTO/SB/21 (09-04)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number

10/763,974

Filing Date

January 22, 2004

First Named Inventor

Hassan PAJOUHESH

Art Unit

1625

Examiner Name

P. L. Morris

Attorney Docket Number

381092001600

## ENCLOSURES (Check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment/Reply (10 pages)

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/Incomplete Application

☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

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Remarks

Customer No. 25225

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

MORRISON & FOERSTER LLP

Signature

*Emily C. Tongco*

Printed name

Emily C. Tongco

Date

June 21, 2006

Reg. No.

46,473

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 21, 2006

Signature: *Judy Bridgewater*

(Judy Bridgewater)





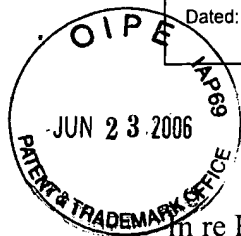
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Dated: June 21, 2006

Signature:

*Judy Bridgewater*  
(Judy Bridgewater)

Docket No.: 381092001600  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hassan PAJOUHESH et al.

Application No.: 10/763,974

Filed: January 22, 2004

For: N-TYPE CALCIUM CHANNEL BLOCKERS

Confirmation No.: 7894

Art Unit: 1625

Examiner: Patricia L. Morris

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION /**  
**RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated May 22, 2006, for which a response is due on June 22, 2006. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Restriction was required. Applicants hereby elect to prosecute Group I drawn to compounds for formula I in claims 1-17, wherein no other heterocycle is present. This election is made with traverse. Applicants further elect the species (R)-6,6-Bis-(4-fluoro-phenyl)-hexanoic acid [1-(3,5-di-tert-butyl-4-methoxy-benzoyl)-pyrrolidin-3-yl]-methyl-amide (corresponding to P2



in Figure 1) for examination. Upon allowance of a generic claim, Applicants request that the remainder of the species be included as permitted by 37 C.F.R. § 1.141(a).

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.